

**RUBY L. HARRINGTON,**

**Plaintiff,**

**v.**

**OKLAHOMA CITY PUBLIC  
SCHOOLS, et al.,**

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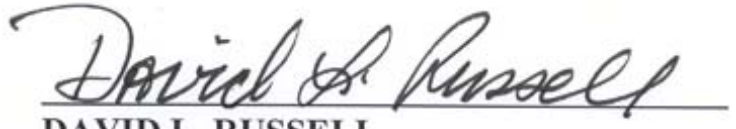
**CIV-14-930-R**

This matter comes before the Court on the Plaintiff's Motion for Entry of Default (Doc. No. 41). Defendants Ed Allen, Karen Patten and Anthony DeGiusti responded to the motion. Allen and Patten are employees of the American Federation of Teachers Local 2309 AFL-CIO, and Defendant DeGiusti provided legal services to the Union. Defendants contend that the Local 2309 was not properly named in this suit and therefore Plaintiff's request for entry of default should be denied.

In filing this action Plaintiff listed as Defendant "American Federal of Teachers (AFT) et al." as well as the individual Defendants. In the body of the Complaint, the references are limited to the AFT. Plaintiff never makes any specific reference to Local 2309, so as to permit the Court to conclude that her intention was to name Local 2309 rather than the American Federal of Teachers national organization. Plaintiff's attempt to alleviate any shortcoming by changing the caption in her subsequently filed motions to include Local 2309, as she did in the instant motion, listing "American Federal of Teachers (AFT) et al., Local 2309 American Federal of Teachers, AFL-CIO" is not sufficient to add a new party

to this action. Because Plaintiff seeks entry of default against a non-party, her request is hereby DENIED.

IT IS SO ORDERED this 13th day of January, 2015.

  
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DAVID L. RUSSELL  
UNITED STATES DISTRICT JUDGE